SUPREME COURT, U. S.

FILED
MAY 6 1968
JOHN F. DAVIS, CLERK

In the

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1967

No. 1405

EDWIN A. WALKER,
Petitioner,

VERSUS

THE ASSOCIATED PRESS,
Respondent.

MOTION TO USE PRINTED RECORD IN CAUSE NO. 150 AS PART OF THE RECORD OF THIS CAUSE

WILLIAM ANDRESS, JR.
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of Counsel:
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May, 1968

UTTERBACK TYPESETTING CO., 13 SO. WALKER, OKLAHOMA CITY, PH. CE 8-0030

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The Petitioner, Edwin A. Walker, respectfully shows to the Court that, after receipt of the mandate of the Supreme Court of the United States in Cause No. 150, ordering and directing that:

> ". . . judgment of the said Court of Civil Appeals in this cause be reversed with costs, and that this cause be remanded to the Court of Civil Appeals of the State of Texas, Second Supreme Judicial District, for further proceedings not inconsistent with the opinions filed herein.
>
> ". . . such proceedings may be had in said cause in conformity with right and justice, and the Constitution and laws of the United States, the said writ notwithstanding,"

as more fully appears from copy thereof attached to Petition for Writ of Certiorari as Appendix "B," the Court of Civil

Appeals of the Second Supreme Judicial District of Texas entered its mandate as follows:

> "In compliance with the judgment and mandate of the Supreme Court, we hereby set aside our prior judgment of affirmance and hereby reverse the judgment of the trial court and render judgment that General Walker recover nothing from The Associated Press, and that The Associated Press recover from Edwin A. Walker all costs as per mandate of the Supreme Court."

as more fully appears from Appendix "A" of the Second Petition for Certiorari filed herein, which was the only proceeding taken by that Court, from which Certiorari is sought.

Petitioner further states that the full record upon which the mandate of this Honorable Court was based in Cause No. 150 is available to this Court in the form of the printed record filed in that cause.

IT IS THEREFORE respectfully requested that the Court consider as part of the record in this case the entire printed record heretofore filed in said Cause No. 150.

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